

Message Text

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ACTION DLOS-09

INFO OCT-01 IO-14 ISO-00 AF-10 ARA-14 EA-12 EUR-12
NEA-10 OIC-02 ACDA-12 AGRE-00 AID-05 CEA-01
CEQ-01 CG-00 CIAE-00 COME-00 DODE-00 DOTE-00
EB-08 EPA-04 SOE-02 DOE-15 FMC-02 TRSE-00 H-02
INR-10 INT-05 JUSE-00 L-03 NSAE-00 NSC-05 NSF-02
OES-07 OMB-01 PA-02 PM-05 SP-02 SS-15 ICA-20
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FM USMISSION GENEVA
TO SECSTATE WASHDC 8374

UNCLAS GENEVA 05624

E.O. 11652: N/A
TAGS: PLOS
SUBJECT: LOS REPORT TO MARAD

DEPARTMENT PLEASE PASS TO DEPARTMENT OF COMMERCE, ROBERT J.
BLACKWELL, ASSISTANT SECRETARY FOR MARITIME AFFAIRS, FROM
BREWER.

1. U.S. DELEGATION HAS NOW COMPLETED ITS REVIEW OF ENVIRON-
MENTAL AND POLLUTION PROVISIONS. DOCUMENT CONTAINING PRO-
POSED CHANGES HAND-CARRIED TO WASHINGTON AND AVAILABLE FROM
ALAN BERLIND, D/LOS STATE. PROPOSALS DEVELOPED WITH FULL
PARTICIPATION OF DOT, DOD, AND JCS, WHO AGREE THAT REPRE-
SENT FAIR BALANCE BETWEEN ENVIRONMENT AND NAVIGATION. I
CONCURRED FOR DOC ON PROVISIO THAT SETTLED NAVIGATION ISSUES
NOT BE REOPENED BUT RECOGNIZE ALSO MARAD'S INTERESTS
SLIGHTLY DIFFERENT AND REQUEST YOU REVIEW. IF YOU DO NOT
CONCUR WITH ANY PROPOSAL, REQUEST ADDITIONAL INSTRUCTIONS.
SUMMARY OF PROPOSALS OF PARTICULAR INTEREST TO MARAD: AMEND
ARTICLE 212 TO (1) ENCOURAGE ADOPTION OF IMCO ROUTING SYS-
TEMS TO AVOID ACCIDENTS LIKE AMOCO CADIZ; (2) PROMOTE
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REGIONAL COOPERATION ON DISCHARGE STANDARDS FOR VESSELS
PROCEEDING TO PORTS IN ADJACENT STATE, I.E., THROUGH U.S.
TERRITORIAL SEA TO CANADA; (3) CLARIFY THAT COASTAL STATE
MAY APPLY ITS OWN DISCHARGE STANDARDS TO INNOCENT PASSAGE
OF FOREIGN VESSELS THROUGH THE TERRITORIAL SEA; (4) INCLUDE
1973 IMCO REQUIREMENT FOR NOTICE OF ECONOMIC ZONE DIS-
CHARGES BUT WITH GUARANTEE AGAINST SELF-INCRIMINATION.

AMEND ARTICLE 229 TO LIMIT FLAG STATE PREEMPTION OF DIS-
CHARGE ENFORCEMENT PROCEEDINGS TO VIOLATIONS BEYOND THE
TERRITORIAL SEA, OR ALTERNATIVELY TO PROHIBIT SUCH PRE-
EMPTION IN THE ECONOMIC ZONE WHERE THERE IS A THREAT OF
MAJOR DAMAGE. AMEND ARTICLE 231 TO PERMIT NON-MONETARY
PENALTIES AGAINST MASTER FOR VIOLATION OF COASTAL STATE
POLLUTION REQUIREMENTS IN TERRITORIAL SEA, WITH ACCOMPANY-
ING REQUIREMENT OF FAIR PROCEEDINGS. STRATEGY IS TO TRY TO
GET GENERAL AGREEMENT OF MARITIME POWERS ON THESE PROPOSALS
BEFORE PRESENTING TO CONFERENCE. ACCEPTANCE IS BY NO MEANS
ASSURED. ALDRICH

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Message Attributes

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